

SAN LUIS OBISPO PLANNING DEPARTMENT HEARINGS
MINUTES OF THE MEETING OF

April 15, 2005

Minutes of the Regular Meeting of the County Planning Department Hearings held in the San Luis Obispo County Planning and Building Department Conference Room, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:04 a.m. by Kim Murry, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of April 15, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

PUBLIC COMMENT PERIOD

Public Comment on the Non-Hearing Agenda: Ruth Bracket, neighbor of Chris Knauer - DRC2004-00010 (Item 2) speaks against project, and states she was not properly notified.

CONSENT AGENDA:

1. This being the time set for hearing to consider a proposal by **DIOPTICS MEDICAL PRODUCTS** to name an unnamed road. The road name proposed is Over Drive. The property is located in the county on the east side of Vachell Lane approximately 1,320 feet north of Buckley Road. The road is located within the Industrial land use category, in the San Luis Obispo Planning Area. APN: 076-361-018. **County File Number: SUB2004-00030**. Date application accepted: January 5, 2005. Supervisorial District No. 3.

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Hearing Officer: Kim Murry
Staff: Leonard Mansell

Thereafter, on motion of the hearing officer, this item is continued to May 6, 2005 at 9:00. No action taken.

NON-HEARING ITEMS:

2. This being the time set for continued hearing to consider a request by **CHRIS KNAUER AND BYRON DAVIS** for a Minor Use Permit/Coastal Development Permit to allow grading (which has already occurred), and establishment of a recreational vehicle storage yard. The project has resulted in the disturbance of approximately 85,000 square feet of a 6.3-acre parcel. The proposed project is within the Industrial Land Use category and is located at 974 Sheridan Road in the community of Callender-Garrett, in the South County (coastal) planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq. Mitigation measures are identified for Aesthetics, Agricultural Resources, Biological Resources, Transportation and Geology/Soils. **County File No: DRC2004-00010**. APN: 091-361-013. Date application accepted: November 15, 2004. Supervisorial District 4.

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Hearing Officer: Kim Murry
Others: Chris Knauer, owner; Ruth Bracket, neighbor; John Wysong, neighbor.

Thereafter, on motion of the hearing officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section

21000, et seq., and the Minor Use Permit/Coastal Development Permit is granted, based on Findings A through G in Exhibit A and subject to Conditions 1 through 19 in Exhibit B. (Document No. 2005-055).

3. This being the time set for hearing to consider a request by **J. CHRIS AND KIT MITSOUKA** for a Minor Use Permit/Coastal Development Permit to allow an addition of a 277 square foot deck and staircase on the upper floor of the existing single-family residence. The deck is proposed to be an addition to the existing upper floor deck on the western side of the existing house, and wrap around to the southern side above the existing garage. The proposed deck meets all setback requirements at 4 feet from the western property line and 12 feet from the southern property line. The proposed project is within the Residential Multi-Family land use category and is located at 262 North Ocean Ave in the community of Cayucos, in the Estero planning area. This project is exempt under CEQA. **County File No: DRC2004-00169.** APN: 064-094-034. Supervisorial District: 2. Date Accepted: March 8, 2005. Ryan Hostetter, Project Manager.

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Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 8 in Exhibit B. (Document No. 2005-056).

4. This being the time set for hearing to consider a request by **DAVID AND SHARON LOPEZ** for a Minor Use Permit/Coastal Development Permit to allow the construction of an addition to single-family residence and attached garage resulting in 1,735 square feet of footprint, 2,656 square feet of gross structural area, and 25 square feet of Transfer Development Credits. The project will result in the disturbance of approximately 2,165 square feet of a 6,005 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 2110 Emmons Road, in the Lodge Hill area of Cambria, in the North Coast Planning Area. This project is exempt under CEQA. **COUNTY FILE NO: DRC2004-00133.** APN: 023,095,031. Date Accepted: March 2, 2005. Supervisorial District: 2. Tammy Seale, Project Manager.

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Hearing Officer: Kim Murry

Others: David Lopez, applicant; Rick Beels, neighbor.

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through R in Exhibit A and subject to Conditions 1 through 29 in Exhibit B. (Document No. 2005-057).

5. This being the time set for continued hearing to consider a request by **HANK SAVAGE** for a Minor Use Permit to allow for a storage equipment yard of approximately 22,380 square feet in size including a storage building of 1,200 square feet, and a storage equipment cover of approximately 900 square feet. The project currently exists as an as built project. The project will result in the total disturbance of approximately 22,380 square feet of a 0.54-acre parcel. The proposed project is within the Commercial Service land use category and is located at 1300 No. N Street in the community of San Miguel. The site is in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of Public Resources Code Section 21000, et seq. **County File No: DRC2004-00006.** APN's: 021-231-025, -026, -027. Date Accepted: November 10, 2004. Supervisorial District: 1. Josh LeBombard, Project Manager.

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Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, this item is continued to June 3, 2005. No action taken.

6. This being the time set for hearing to consider a request by **MERCY VAUGHN** for a Minor Use Permit and Grading Permit to allow the improvement of an existing access road, single-family residence and individual wastewater disposal system. The project will result in the disturbance of approximately 2.1 acres, 2,600 cubic yards of cut and 2,600 cubic yards of fill on an 80-acre parcel. The proposed project is within the Rural Lands land use category and is located in Gallegos Ranch, off Madrona Road, 15 miles west of the City of Paso Robles, in the Adelaida planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq. Mitigation measures are proposed to address biology, geology and soils, hazards, and public service. **County File No. DRC2004-00009**. APN: 080-161-006. Date accepted: November 3, 2004. Supervisorial District 1. Keith Miller, Project Manager.

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Hearing Officer: Kim Murry

Thereafter, on motion of the hearing officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit is granted based on Findings A through F in Exhibit A, and subject to Conditions 1 through 16 in Exhibit B. (Document No. 2005-058).

HEARING ITEMS:

7. This being the time set for hearing to consider appeal by **KENNETH TAB** to an Administrative Fine of \$200.00 for Land Use violations on property located at 12900 Soda Lake Road, Santa Margarita, CA. **County File Number: COD2003-00120**. Date appeal filed: March 23, 2005. Supervisorial District 5. Harley Voss, Investigator.

Thereafter, on motion of the hearing officer, the item is withdrawn per staff recommendation for the appeal of Administrative Fine of \$200.00 for Land Use violations. A refund will be issued.

8. This being the time set for continued hearing to consider a request by **STEPHAN AND KARLA COOL** for a Lot Line Adjustment to adjust the lot lines between two (2) parcels of approximately 1.29 and 1.93 gross acres each. The adjustment will result in two (2) parcels of approximately 1.91 and 1.31 gross acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Rural land use category and is located at 266 Tolbert Place, in the community of Arroyo Grande, in the South County planning area. This project is exempt under CEQA. **County File No: SUB2004-00177**. APN: 075-061-045 and -046. Date Accepted: December 22, 2004. Supervisorial District: 4. Inge Lundegaard, Project Manager.

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Hearing Officer: Kim Murry

Staff: Warren Hoag

Hearing Officer presents project.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is approved based on the Findings A through D in Exhibit A, and subject to the Conditions 1 through 11 in Exhibit B. (Document No. 2005-059).

9. Hearing to consider a request by **ROBERTA LINDSEY** for a Lot Line Adjustment to adjust the lot lines between two parcels of 40.09 and 47.34 acres each. The adjustment will result in two parcels 67.43 and 20 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Rural land use category and is located at 5620 Las Tablas Bay Drive in Paso Robles, in the Nacimiento planning area. This project is exempt under CEQA. **County File No: SUB2004-00065/COAL04-0280.** APN: 080-112-009, -010, -032, -034. Supervisorial District 1. Date Accepted: December 9, 2004. John Busselle, Project Manager.

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Hearing Officer: Kim Murry

Staff: Warren Hoag

Others: Roberta Lindsey, applicant.

Roberta Lindsey, applicant, explains her reasons for requesting a lot line adjustment, and agrees with the Conditions of Approval.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is approved based on Findings A through D in Exhibit A, and subject to the Conditions 1 through 9 in Exhibit B. (Document No. 2005-060).

10. Hearing to consider a request by **KAREN KENNEY** for a Minor Use Permit/Coastal Development Permit to allow an existing single-family residence to be used as a Residential Vacation Rental. The existing residence is within 200 feet of another residential vacation rental on the same street. There will be no construction activities with this permit approval. The proposed project is within the Residential Single Family land use category and is located at 427 Cambridge Street in the community of Cambria. The site is in the North Coast planning area. This project is exempt under CEQA. **County File No: DRC2004-00158.** APN:022-182-048. Supervisorial District: 2. Date Accepted: February 25, 2005. Ryan Hostetter, Project Manager.

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Hearing Officer: Kim Murry

Staff: Ryan Hostetter

Others: Karen Kenney, applicant; Jone Uhbenga, Property Manager; Rod Lippold, Bob Heald, Chuck DeRose, William Hughes, Martin Verhaegh, and Carol Tangeman, neighbors.

Ryan Hostetter, staff, presents project. States request for hearing letters were received regarding noise, parking & traffic. States the Conditions of Approval will address these concerns, and explains procedures for their enforcement.

Karen Kenney, applicant, agrees with all Conditions of Approval. Cites residential history. States she currently resides in San Jose, and addresses concerns about her residence being empty while she is gone. States she feels it would be advantageous to have it occupied during her absence. States she would enforce all conditions. Cites her understanding of the neighbors' concerns, and reinforces her

hopes of maintaining a good relationship with them. Explains she is not profiting from having a vacation rental. States her wishes to find a “middle ground” without negative impacts to the neighborhood, and requests the neighbors reconsider her proposal.

William Hughes, neighbor at 434 Plymouth, questions staff regarding hearing request letters received. Cites concerns with 200’ stipulation of vacation rentals, security, property value, and deed restrictions. States there are currently 19 vacation rentals on Plymouth. Distributes and reads from handout, indicating concerns with linear notice area being on the same side of the street, and mitigation concerns (noise). Requests the Planning and Building Department closely review the area surrounding the vacation rental. Gives radius’ and states concerns for clustering. Comments at length on staff report. Requests denial of permit request.

Martin Verhaegh, neighbor, reads from written script citing all his concerns, including traffic and parking. States he wrote a letter to the hearing officer, and presents a handout for the record. Requests denial of the permit request.

Jone Uhbenga, property manager for the Kenney residence, addresses neighbors’ comments regarding vacation rentals lowering property values, and complaints regarding traffic, noise, and excessive traffic. States she has never received actual complaints herself. Requests the County ordinance be “fine tuned”. Requests proposal be approved.

Carol Tangeman, neighbor, states she is from a different neighborhood where vacation renters are not a concern.

Rod Lippold, neighbor, cites concerns for enforcement of ordinance, trash being left out by vacation renters, lack of property management enforcement of rules, parking, and not receiving his mail due to blockage by other vehicles. Feels parking is the biggest problem. States this will be exacerbated with the allowance of more vacation rentals.

Hearing Officer addresses neighbors’ concerns about the 200-foot ordinance, and explains any changes thereof would have to be reviewed by the Board of Supervisors. Asks the neighbors if they have issues with the Kenney’s project, to which the neighbors reply “no” but they do object to the way the vacation rental ordinance is being administered. States her understanding of neighborhood concerns regarding numerous vacation rentals, and encourages cooperation between neighbors and property management. Encourages the neighbors to address their concerns at the upcoming Board of Supervisors meeting in September when the General Plan will be reviewed.

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is approved based on Findings A through G in Exhibit A, and subject to Conditions 1 through 13 in Exhibit B. (Document No. 2005-061)

There being no further business to discuss, the hearing is adjourned.

Respectfully submitted,
Ramona Hedges, Secretary
Planning Department Hearings